

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

I. STATUS OF THE CLAIMS

Claim 6 is cancelled herein without prejudice or disclaimer and claims 1 and 5 are amended herein.

In view of the above, it is respectfully submitted that claims 1-5 and 7 are currently pending and under consideration.

II. REJECTION OF CLAIMS 1 AND 2 UNDER 35 U.S.C. § 102(B) AS BEING ANTICIPATED BY DAVIS (US 1,955,412)

The present invention as recited in claim 1 (as amended herein) relates to a quantitative distributor in which "a predetermined volume of the substance to be discharged from the distributor [is] determined by a distance of movement of the piston in the cylinder, wherein a discharge volume of the substance from the distributor corresponds to the pressure of the substance supplied to the distributor," such that the discharge volume of the substance is changed.

Davis discloses a lubricating apparatus. Davis, however, is silent regarding the features recited in claim 1 of the present invention. Moreover, it appears that the valves 32 and 46 are limited to a constant length like the conventional type distributor as described at lines 10-14 on page 2 of the Applicant's specification. Thus, as described at lines 69-75 on page 2 of Davis, a discharged volume of lubricant is constant.

By contrast, the present invention describes that a discharge volume of a substance can be changed because the discharge volume of the substance from the distributor corresponds to the pressure of the substance supplied to the distributor (see claim 1).

Further, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131. Davis does not anticipate each and every element as set forth in claim 1 of the present invention.

Dependent claim 2 (depending from claim 1) recites patentably distinguishing features of its own, and further, is at least patentably distinguishing due to its dependency from independent claim 1.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 1, 5, AND 6 UNDER 35 U.S.C. § 102(B) AS BEING ANTICIPATED BY PARKER (US 2,086,173)

Parker discloses a booster for engine primers.

However, Parker is also silent regarding the features as recited, for example, in claims 1 and 5 of the present invention. Like Davis, Parker does not anticipate each and every element as set forth in independent claims 1 and 5 of the present invention.

Particularly, Parker does not describe that a predetermined volume of the substance to be discharged from the distributor is determined by a distance of movement of the piston in the cylinder, wherein a discharge volume of the substance from the distributor corresponds to the pressure of the substance supplied to the distributor, such that the discharge volume of the substance is changed (see claim 1). Parker also fails to describe that a predetermined volume of the substance to be discharged from the distributor is determined by a distance of movement of the piston in the cylinder, wherein an inflow side and a discharge side of the cylinder chamber separated from each other by the piston are communicated each other by movement of the piston over a distance more than a distance of movement of a normal operation, such that a conduit for supplying the substance to the distributor and a delivery port of the distributor are communicated each other, so that the discharge volume of the substance is changed (see claim 5).

Therefore, Parker does not disclose the features as recited in claims 1 and 5 of the present invention.

Claim 6 is cancelled herein.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 3, 4, AND 7 UNDER 35 U.S.C. § 103(A)

Dependent claims 3 and 4 (depending from claim 1) and claim 7 (depending from claim 5) recite patentably distinguishing features of their own, and further, are at least patentably distinguishing due to their dependency from independent claims 1 and 5. For example, claim 7 recites, "wherein the inflow side and the discharge side of the cylinder chamber separated from each other by the piston are communicated each other by expanding an inner diameter of the cylinder at the point in which the piston is moved over a distance more than the distance of movement of the normal operation." Davis and Dussault, either alone or in combination, do not describe the features recited in claim 7, nor would it have been obvious to a person of ordinary skill in the art to combine Davis and Dussault to describe the features in claim 7.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. CONCLUSION


In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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